

### **REMARKS**

The applicants, in their Remarks submitted June 6, 2007, pointed out that in *Schuster* (6,650,901), the calling party triggers delivery of the location of that calling party. Accordingly, the applicants traversed the rejection of Claims 1 et al as being anticipated by *Schuster*, because *Schuster* does not anticipate the claim element “triggering a query from a network element associated with the called party, the query requesting the location of the calling party”.

The Examiner, in the Advisory Action of July 6, 2007, responded by citing Column 19, Lines 13-22 of *Schuster*. That passage states, in part, that “Fig. 3B shows a first data channel message 480 having a query to the user...” (emphasis by the Examiner). Based on that passage, the Examiner concluded that *Schuster* anticipated the above-quoted element of the applicants’ claimed embodiment, namely, “triggering a query from a network element associated with the called party, the query requesting the location of the calling party”.

The applicants do not agree with the Examiner’s interpretation of *Schuster* and thus repeat their traversal of the rejection based on anticipation by that reference.

The context of the method embodied in Claim 1 is delivering the geographic location of a calling party on a VOIP phone. That method, as embodied in Claim 1, comprises certain elements including transmitting a call from a calling party’s IP network to a called party, wherein associated data includes an IP address of the calling party and a directory number corresponding to that IP address. The method triggers a query from a network element associated with the called party and requesting the location of the calling party. In response to that query, the method retrieves geographic location information associated with the calling party from an address data base, returns that location information to the called party’s network element, and terminates the call and delivers that geographic location to the called party.

The Examiner relies on Column 19, Lines 13-22 of *Schuster* to show anticipation of “triggering a query from a network element associated with the called party...” as in Claim 1. However, that passage from *Schuster* merely describes the *registration process* of the new data network telephone 208 according to *Schuster*. That description begins at Column 18, Line 50. After user A connects a new telephone 208 to the data network, the telephone 208 then sends a registration message 273; Fig. 3B shows a sample registration request at 472 (Column 18, Lines 66-67). Continuing on to Column 19, *Schuster* describes further steps in the process of registering the new telephone in response to the registration message. Those steps include a response message 275 (Column 19, Line 3) including an auto-configuration command directed to the telephone 208.

Moving now to Column 19, Lines 13-22 cited by the Examiner, *Schuster* states that the response message 275 may also comprise an exchange of messages (Line 14) to which the user (presumably the user configuring the telephone 208) may respond with yes/no replies. A “yes” response shows that the user wants the configuration of the telephone 208 updated (Column 19, Lines 25-26), and the network server responds with the updated version (Column 19, Lines 28-29). The new telephone 208 is registered with that response (Column 19, Lines 29-30), the registration including a phone number and a set of features to allow the user to make full use of the telephone 208 (Column 19, Lines 34-37).

The foregoing analysis shows that Column 19, Lines 13-22 of *Schuster* describe only the procedure for registering a telephone newly added to the system described in that reference. That aspect of *Schuster* has no relevance to the method embodied in the applicants’ Claim 1, namely, delivering the geographic location of a calling party on a VOIP phone. The registration procedure described by *Schuster* is not concerned with placement or delivery of a call from a

calling party to a called party, and fails to teach “triggering a query from a network element associated with a called party, the query requesting the location of the calling party”. That limitation simply is not found in *Schuster*.

The applicants refer to Page 3 of their Remarks submitted on June 6, 2007. Those remarks point out that *Schuster* makes clear that the *caller's* telephone sends the location data to the callee during a telephone connection. The applicants again respectfully submit that *Schuster* does not anticipate a method including triggering a query from a network element associated with the called party to request the location of the calling party. Accordingly, *Schuster* cannot anticipate Claim 1 or any other claim remaining in this application.

In the Advisory Action, the Examiner asserts that the above-discussed Column 19, Lines 13-22 of *Schuster* is exactly like the applicants' own procedure on Page 20, Line 6-Page 21, Line 5 of their Specification. From that alleged similarity, the Examiner concludes that *Schuster* anticipates the claimed element “triggering a query...associated with the called party...”. To the extent that the applicants understand this comparison of their Specification as supporting anticipation of Claims 1 et al, the applicants respectfully traverse the same. Pages 20-21 of the applicants' Specification describe placing a call according to an embodiment of their method. That method includes triggering a query 350 asking for the name and location of the calling party (at 366, shown in Figure 3b as “Call activates trigger set on *called party's* central office, launching a query asking for calling party's name and location” (emphasis supplied). In response to that query the calling party's name and location are retrieved at 372, and that information is returned to the called party at 378.

There is no relevant similarity between Pages 20-21 of the applicants' Specification (describing placement of a call) and Column 19, Lines 13-22 of *Schuster*. As detailed above,

*Schuster* there describes the registration process for adding a new telephone to a system. That registration process does not involve placing a call from a calling party to a called party, does not trigger a query from a network element associated with a called party, and does not produce a query requesting the location of the calling party. Indeed, *Schuster's* registration procedure does not involve called or calling parties, because no such telephone call is initiated during registration nor forms any part of the registration procedure described by *Schuster*. Accordingly, the applicants respectfully submit that the Examiner's comparison between Pages 20-21 of their Specification with Column 19, Lines 13-22 of *Schuster* is not relevant to the issue of novelty in Claims 1 et al.

The applicants further submit that Claims 1 et al are novel over *Schuster*, and that a notice of allowance for those claims is in order.

Respectfully submitted,

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